

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

In re:

The Merit Group, Inc., *et al.*,¹

Debtor.

Chapter 11

Case No. 11-03216-hb
(Jointly Administered)

NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF DOCUMENTS

PLEASE TAKE NOTICE that the undersigned, appearing as proposed co-counsel for the OFFICIAL COMMITTEE OF UNSECURED CREDITORS (the "Committee") in the above-captioned case, hereby appears in the above-captioned case under Title 11 of the United States Code (the "Bankruptcy Code") pursuant to Rules 2002, 9007 and 9010 of the Federal Rules of Bankruptcy Procedure and Section 1109(b) of the Bankruptcy Code, and requests that any and all notices given or required to be given in the above-captioned case and all papers served in this case be given to and served upon the persons set forth below at the addresses and telephone numbers designated below:

¹ The Debtors and the last four digits of their respective tax identification numbers are: The Merit Group, Inc., fka Lancaster Distributing Company, fka Lancaster Paint Sundries, Inc. (4224); Merit Transportation, Inc. (9048); Merit Paint Sundries, LLC, dba Lancaster (8882); Merit Supply Company, LLC, dba Merit Supply (5878); Merit Pro Finishing Tools, LLC, dba Merit Trade Source (8544); Five Star Products, Inc. (9186); and Five Star Group, Inc., dba Lancaster/Five Star, dba Rightway (3506).

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PLEASE TAKE FURTHER NOTICE that, pursuant to Section 1109(b) of the Bankruptcy Code, the foregoing demand includes not only notices and papers referred to in the Rules specified above, but also includes, without limitation, any and all orders, notices, applications, motions, petitions, pleadings, requests, complaints or demands, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, hand delivery, telephone, telegraph, telecopier, electronic or computer means or otherwise, that affects the Debtors, any property of the Debtors or any property in which the Debtors hold an interest.

PLEASE TAKE FURTHER NOTICE that neither this Entry of Appearance nor any subsequent appearance, pleading, claim or suit, is intended to waive (i) this party's right to have final orders in noncore matters entered only after *de novo* review by a district judge, (ii) this party's right to trial by jury in any proceedings or trial so triable herein or in any case, controversy, or proceeding relating thereto, (iii) this party's right to have the reference withdrawn by the District Court in any matter subject to mandatory or discretionary withdrawal, or (iv) any other rights, claims, actions, defenses, setoffs or recoupments to which this party is or may be entitled to under

agreements, in law, in equity, or otherwise, all of which rights, claims, actions, defenses, setoffs and recoupments this party expressly reserves. Further, this Entry of Appearance constitutes a special appearance and is not to be deemed a consent to or waiver of the right to challenge the jurisdiction of the Bankruptcy Court under sovereign immunity or any other basis, which right is expressly reserved.

McCARTHY LAW FIRM, LLC

May 27, 2011.

/s/G. William McCarthy, Jr.
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Committee of Unsecured Creditors*
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CERTIFICATE OF SERVICE BY MAIL

I, Sally Ann Beall, on behalf of McCarthy Law Firm, LLC, do hereby certify that the **NOTICE OF APPEARANCE AND REQUEST FOR DOCUMENTS**, filed May 27, 2011, was served upon the attorneys and parties in interest via ECF filing on the 27th day of May, 2011:

McCARTHY LAW FIRM, LLC

By: /s/Sally Ann Beall
Sally Ann Beall
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